

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors:

Christian WENGERTER, et al.

Application No.:

10/501,906

Filed:

July 20, 2004

For:

CONSTELLATION REARRANGEMENT FOR ARQ TRANSMIT

DIVERSITY SCHEMES

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see <u>Beckman Instruments</u>, <u>Inc. v. Chemtronics</u>, <u>Inc.</u>, 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: January 7, 2005

James E. Ledbetter

Registration No. 28,732

JEL/spp

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FORM PTO-1449 *U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT									ATTY, DOCK	ET NO.	SERIAL N	SERIAL NO. 10/501,906			
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